

California Department of Insurance

Fraud Division

November 2009 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

November 2009 Workers' Compensation Fraud Convictions

CDI Case Number: 07JW021681

County: Ventura

Defendant: Celia Alvarez

City/County of Residence: Santa Paula/Ventura

Conviction Date: 11/02/09

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$8,188

Sentence: 240 Hours Community Service, 36 Months Formal Probation, \$8,188 Restitution, \$100 Civil Fine

CDI Case Number: 07HW008395

County: San Bernardino

Defendant: Kinya Jeanette Atlashearn

City/County of Residence: San Bernardino/San Bernardino

Conviction Date: 11/16/09

Offense: 3 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation); 2 Counts of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim)

Amount Allegedly Defrauded: TBD

Sentence: 180 Days County Jail, 36 Months Probation, TBD Restitution, \$200 Civil Fine

CDI Case Name: Marina Gas & Diesel

CDI Case Number: 09GW002649

County: Monterey

Defendant: Toan Cong Bui

City/County of Residence: Marina/Monterey

Conviction Date: 11/05/09

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: \$65,125.51

Sentence: 90 Days County Jail, 100 Hours Community Service, 3 Years Formal Probation, \$65,125.51 Restitution, \$300 Civil Fine

CDI Case Number: 06GW017896

County: Santa Clara

Defendant: Deborrah Lynne Cooper

City/County of Residence: Pleasanton/Alameda

Conviction Date: 11/24/09

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose)

Amount Allegedly Defrauded: \$29,998

Sentence: 45 Days County Jail, 150 Hours Volunteer Work, 3 Years Formal Probation, \$29,998 Restitution, \$220 Civil Fine (Satisfied)

CDI Case Number: 05DW018999
County: Orange
Defendant: Michael Lewis Corbin
City/County of Residence: Dana Point/Orange
Conviction Date: 11/03/09
Offense: 1 Count of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$886,604
Sentence: 210 Days Electronic-Monitored Home Confinement,, \$125,000 (Now Paid) Restitution with \$75,000 paid annually until 2013; If all of these conditions are met, Offense Reduced to Misdemeanor, Serve 3 Years Informal Probation, continue \$75,000 Restitution.

CDI Case Number: 03FW018451
County: Kern
Defendant: Shawn Renee Dodd
City/County of Residence: Bakersfield/Kern
Conviction Date: 11/19/09
Offense: 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim); 1 Count of PC 182(a) (4) (Conspiracy); 1 Count of PC 550(a)(5) (Knowingly Prepare, Make, or Subscribe any Writing, with the Intent to Present or Use It, or to Allow It to be Presented, in Support of any False or Fraudulent Claim)
Amount Allegedly Defrauded: \$2,296,351.30
Sentence: 6 Years State Prison, \$2,296,351.30 Restitution, \$200 Civil Fine

CDI Case Number: 05BW013265
County: Solano
Defendant: Carol Dunham
City/County of Residence: Vacaville/Solano
Conviction Date: 11/09/09
Offense : 3 Counts of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$66,117.57
Sentence: 270 Days County Jail, 3 Years Formal Probation, \$66,117.57 Restitution, \$200 Civil Fine

Case Number: BAM039333
County: Riverside
Defendant: Jose Guadalupe Espinoza
City/County of Residence: Beaumont/Riverside
Conviction Date: 11/05/09
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$100 Civil Fine, \$10,000 Criminal Fine (\$9,000 Suspended)

CDI Case Number: 05GW014803
County: San Mateo
Defendant: David Robert Jones
City/County of Residence: Half Moon Bay/San Mateo
Conviction Date: 11/05/09
Offense: 1 Count of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$37,230
Sentence: 5 Days County Jail, 3 Years Probation, \$100 Civil Fine (Restitution of \$37,230 had been paid)

CDI Case Number: 08CW023423
County: Los Angeles
Defendant: Boris Shagal
City/County of Residence: Encino/Los Angeles
Conviction Date: 11/24/2009
Offense: 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)
Amount Allegedly Defrauded: \$10,312
Sentence: 2 Days County Jail, 50 Hours Community Service, 2 Years Summary Probation, \$10,312 Restitution, \$100 Civil Fine

Case Number: P09CRM1344
County: El Dorado
Defendant: Charles Albert Smithhart
City/County of Residence: Citrus Heights/Sacramento
Conviction Date: 11/3/09
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 24 Months Summary Probation, \$100 Civil Fine, \$1,815 Criminal Fine